

IN THE UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF GEORGIA
AUGUSTA DIVISION

SARAH J. SIMS; MICHAEL E.
SIMS; individually and on
behalf of all other persons
similarly situated

Plaintiffs,

v.

SELECT PORTFOLIO SERVICING,
INC.; JP MORGAN CHASE BANK,
AS TRUSTEE OF THE TRUMAN
CAPITAL MORTGAGE LOAN TRUST
2004-2 ASSET-BACKED
CERTIFICATES SERIES 2004-2

Defendants.

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CV 108-064

TEMPORARY RESTRAINING ORDER

Presently before the Court in the captioned case is Plaintiffs' "Motion for Temporary Restraining Order and Preliminary Injunction." (Doc. no. 4.) The Court held a hearing on Plaintiffs' motion on May 29, 2008. Upon due consideration of said motion, the complaint, exhibits, the memorandum of law filed in support thereof, the record and applicable law and for the reasons entered into the record at the aforementioned hearing in accordance with Fed. R. Civ. P. 52(a)(1), Plaintiffs' motion is **GRANTED**.

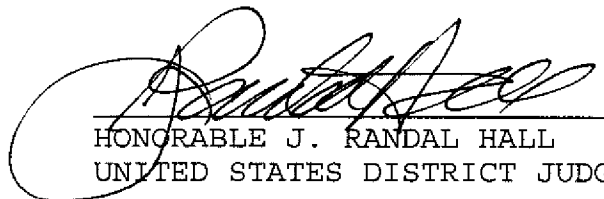
It is **HEREBY ORDERED** that Defendants and all of their agents, employees, or other persons acting on their behalf are temporarily and immediately restrained from initiating, prosecuting or completing any judicial or nonjudicial

foreclosure action arising out of the loan that is the subject matter of the captioned case, including but not limited to, the June 3, 2008 scheduled foreclosure sale of Sarah J. and Michael E. Sims' personal home, located in Burke County, Georgia, and more particularly described in Exhibit B to Plaintiffs' complaint. (See Doc. no. 1, Ex. B.)

It is further **ORDERED** that, based upon the reasons entered into the record at the aforementioned hearing, the Plaintiffs shall not be required to post a bond.

It is further **ORDERED** that this temporary restraining order shall remain in effect until the earlier of ten days from the date of this Order, or until the Court's determination of Plaintiffs' motion for a preliminary injunction, the hearing for which is hereby scheduled for **June 11, 2008 at 10:00 a.m.**

ORDER ENTERED at Augusta, Georgia, this 30th day of May 2008, at 11:05 a.m.


HONORABLE J. RANDAL HALL
UNITED STATES DISTRICT JUDGE